

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5978 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BACHU NAGJI DABHI

Versus

STATE OF GUJARAT

Appearance:

None present for Petitioner
MR LR PUJARI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 12/03/98

ORAL JUDGMENT

The learned counsel for the respondents fairly conceded that this matter is squarely covered by the decision of this Court dated 22.10.97, given in Special Civil Application No.5921 of 1985. Yesterday also, somewhat identical matter has been decided by me.

2. In view of the aforesaid statement made by

learned counsel for the respondents, this Special Civil Application is disposed of with directions to the respondents to consider the case of the petitioner with reference to the Resolution dated 17th October, 1988, and subsequent resolutions on the subject. This exercise should be undertaken by the respondents within a period of three months from the date of receipt of certified copy of this order. In case the petitioner is found entitled for the benefits under the aforesaid Resolution and subsequent Resolutions, then he shall be entitled for all the consequential benefits following therefrom. In case for any reason, the petitioner is not found entitled for the benefits under those Resolutions, a reasoned order may be passed and a copy of the same may be sent to the petitioner. Till the matter is considered by the respondents as directed above, the services of the petitioner shall continue. The Special Civil Application and Rule stand disposed of in the aforesaid terms with no order as to costs.

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(sunil)